

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: June 15, 2017

-----X
:
PAUL ANDRUS and RONALD
BERRESFORD, *individually and as*
representatives of a class of similarly
situated persons, and on behalf of the New
York Life Agents Progress-Sharing
Investment Plan and the New York Life
Insurance Company Employee Progress-
Sharing Investment Plan,

Plaintiffs,

v.

NEW YORK LIFE INSURANCE COMPANY,
NEW YORK LIFE INVESTMENT
MANAGEMENT LLC, NEW YORK LIFE
INVESTMENT MANAGEMENT HOLDINGS
LLC, CORNERSTONE CAPITAL
MANAGEMENT HOLDINGS LLC,
CORNERSTONE CAPITAL MANAGEMENT
LLC, BOARD OF TRUSTEES OF THE NEW
YORK LIFE AGENTS PROGRESS-SHARING
INVESTMENT PLAN, BOARD OF
TRUSTEES OF THE NEW YORK LIFE
INSURANCE COMPANY EMPLOYEE
PROGRESS-SHARING PLAN, MARIA J.
MAUCERI, BARRY A SCHUB, JOHN Y.
KIM, ARTHUR H. SETER, DREW E.
LAWTON, MICHAEL M. OLESKE, ROBERT
J. HYNES, and JOHNS DOES 1-30,

Defendants.
-----X

16 Civ. 5698 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

This matter came before the Court on a Fairness Hearing on June 15, 2017. During the fairness hearing, the Court considered, among other things, Plaintiffs' Motion and Amended Motion for Attorneys' Fees, Expenses, and

Class Representative Service Awards. This motion is unopposed by Defendants. Having considered the motion papers, the proposed Settlement Agreement which the Court preliminarily approved on February 16, 2017 and has now finally approved, the arguments of counsel, and all files, records, and proceedings in this action, and otherwise being fully informed in the premises as to the facts and the law,

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. Class Counsel's request for an award of \$1,000,000 in attorneys' fees is approved. Having reviewed Class Counsel's fee application and all applicable legal authorities, the Court finds the requested amount of fees (which total one-third of the Settlement Fund) to be reasonable and appropriate.

2. Class Counsel's request for litigation expenses in the amount of \$13,534.73 is approved. The Court has reviewed these expenses, and finds that they were necessarily incurred in the conduct of the litigation.

3. Class Counsel's request for settlement administration expenses to Analytics Consulting, LLC in the amount of \$50,000.00 is approved. The Court has reviewed these expenses, and finds that they are reasonable and appropriate, and the product of a competitive bidding process for settlement administration services.

4. Plaintiffs' request for class representative service awards in the amount of \$10,000.00 each to Paul Andrus and Ronald Berresford is approved.

The Court finds these awards to be justified under the facts of this case and consistent with applicable legal authorities.

5. Pursuant to Paragraph 5.7 of the Settlement Agreement, the settlement administration expenses approved in Paragraph 3 above shall be paid directly by Defendants.

6. Pursuant to Paragraph 5.8 of the Settlement Agreement, the other amounts approved in Paragraphs 1, 2, and 4 above shall be disbursed from the Settlement Fund within five (5) days after the Effective Date of the Settlement.

SO ORDERED.

Dated: June 15, 2017
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge